



COUNCIL MEETING

MINUTES

Wednesday 9 November 2022

Commencing at 7:00pm

Charlton District Office – Council Chamber

1 High Street, Charlton

**Wayne O'Toole
Chief Executive Officer
Buloke Shire Council**

Minutes of the Meeting held on Wednesday, 9 November 2022 commencing at 7:00pm in the Charlton District Office Council Chamber, 1 High Street, Charlton**CHAIRPERSON:**

Cr Alan Getley Mallee Ward

COUNCILLORS:

Cr Bernadette Hogan Mallee Ward
Cr Carolyn Stewart Lower Avoca Ward
Cr David Pollard Lower Avoca Ward
Cr Graeme Milne Mount Jeffcott Ward
Cr Bronwyn Simpson Mount Jeffcott Ward
Cr Daryl Warren Mount Jeffcott Ward

OFFICERS:

Wayne O'Toole Chief Executive Officer
Hannah Yu Director Infrastructure and Delivery
Travis Fitzgibbon Director Community Development

AGENDA**1. COUNCIL WELCOME**

WELCOME

The Mayor Cr Alan Getley welcomed all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to the Elders from other communities who maybe here today.

2. RECEIPT OF APOLOGIES**3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****MOTION:**

That Council adopt the Minutes of the Council Meeting held on Wednesday, 12 October 2022.

MOVED: CR GRAEME MILNE

SECONDED: CR DAVID POLLARD

**CARRIED.
(R009/22)**

4. REQUESTS FOR LEAVE OF ABSENCE

Nil.

5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Cr Bernadette Hogan declared a Conflict of Interest Item 9.1.4 due to her being a close relative of Bryan Hogan, the Chairperson of the Birchip Community Housing Inc Committee.

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NEXT MEETING

THE NEXT MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 14 DECEMBER 2022 AT 7:00PM.

Wayne O’Toole
CHIEF EXECUTIVE OFFICER

6. QUESTIONS FROM THE PUBLIC

6.1 FIRST NATIONS PEOPLES, TRADITIONAL OWNERS AND CUSTODIANS OF MOUNT WYCHEPROOF

Dear Mayor and Councillors

The Shire of Wycheproof was appointed on 24 February, 1930 as a Committee of Management of the Mt Wycheproof reserve, a site permanently reserved as a Public Park. That appointment was gazetted on 5 March 1930. The Shire of Buloke is the successor in law to the Shire of Wycheproof. The land comprising the reserve was permanently reserved as a site for a Public Park by an Order in Council (of the Victorian Government) on 4 December 1929.

First Nations peoples/Traditional Owners are extremely concerned that the Sacred Emus on Mount Wycheproof are not being maintained, protected or management in any proper way by the Shire, despite the Shire well knowing that those Sacred Emus are sacred totems to First Nations peoples have been on the record since July 2015, that is over 7 years, that the Shire was to take all proper steps to maintain and protect the Sacred Emus and to maintain and protect Mount Wycheproof itself, which is a sacred site for First Nations/Traditional Owners.

In that time, that is over seven years, the Shire has allowed the protective fencing to be taken down, removed and subjected the Emus to the ingress of a variety of predators such that the Sacred Emus are continually at high risk. The Shire has not realised – in over seven years – any valid proposals for the safekeeping, protection or maintenance of the Sacred Emus in that time.

We note that Mr Kevin O’Dea, the Chairman of Charlton Tourism Inc, as well as Elder, Uncle Bobby Nicholls, have both personally attended Council Meetings and addressed the Shire, Councillors and staff, at a number of Council Meetings over the past months. In response the Shire has advised that the Shire will “**get back**” to them both in regard to these important issues and organise a meeting of stakeholders and the community. In recent months there have been further statements that the Shire will “get back” to Mr O’Dea and First Nations peoples, however this has not occurred.

We also note statements contained in letter of the then Victorian Minister for the Environment, Hon Lisa Neville, on 24 August 2015 to First Nations peoples, and Traditional Owners, Hon Lisa Neville. She stated, inter alia, that native wildlife in Victoria is protected by the **Wildlife At 1975 (Vic)** and that wildlife officers from DELWP had “**spoken to staff from the Buloke Shire to ensure they are aware of the legislation that protects wildlife, specifically Emus at Mount Wycheproof.**”

We advise that if there is not substantial progress made in this matter prior to the next meeting of the Shire, that is by its December meeting, First National peoples and Traditional Owners intend referring this matter back immediately to the current Victorian Minister for Environment, the Hon Lily D’Ambrosio or her successor for the Sacred Emus and Mount Wycheproof to be properly protected as per the requirements of the various relevant legislation (*Crown Lands (Reserves) Act 1978, Vic Wildlife Act 1975 Vic, Aboriginal Heritage Act 2006, Vic, etc*)

Elder, Uncle Bobby Nicholls and Elder Uncle

Gary Murray on behalf of Frist Nations peoples and

Traditional Owners and Custodians of Mount Wycheproof

RESPONSE PROVIDED FROM DIRECTOR COMMUNITY DEVELOPMENT:

Thank you for the letter.

There are a range of questions asked here and some of which we have answered in many forms. We understand that the protracted time line is frustrating, but Council staff are liaising in good faith and are moving as quickly as they can between multiple state agencies.

I did speak to Mr O'Dea by phone on 6 October explaining the delays and reassuring him that Council is working with DELWP and First Peoples State Relations to help facilitate the sensitive nature of an on-Country Meeting to discuss the options, with cultural, risk and cost analysis at the centre of any proposed agenda. Mr O'Dea purported to be comfortable with progress during the call and was pleased to be updated.

Those options I refer too being as stated in the Mount Wycheproof Emu Management Plan:

- Maintain emus as a captive population or,
- Release emus.

Buloke is a small rural Council that does not have the capacity or skills to facilitate such a meeting.

Council is again engaging with First Peoples State Relations, after some back and forth between agencies and departing staff to get this meeting happening. Council is invested in an outcome for the emu population on Mount Wycheproof.

Whilst we empathise with the urgency and a timeline you've set for December, please keep in mind that Council and both these State agencies are in the middle of natural disaster response and recovery.

The emus remain cared for in line with the relevant legislation and Council are in regular contact with DELWP in matters relating to the *Wildlife Act 1975*.

7. PROCEDURAL ITEMS**7.1 REPORT OF COUNCILLOR ASSEMBLIES**

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

MOTION:

That the Council note the report of Councillor Assembly Meetings held 5 October 2022.

MOVED: CR BRONWYN SIMPSON

SECONDED: CR GRAEME MILNE

CARRIED.

(R010/22)

Attachments: 1 Councillor Briefing Record - 5 October 2022

KEY POINTS/ISSUES

Transparency is a fundamental principle of democratic governance.

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with Section 57 of The Act, Council at its September 2020 Ordinary Meeting, adopted a Public Transparency policy, designed to improve public transparency in Council's decision-making processes and to assist the community in understanding the information that is accessible to them.

As per the Council Meeting Schedule adopted 10 November 2021, Councillor Briefings are held for Councillors to meet to consider matters that are likely to be the subject of a Council decision or for the exercise of delegation.

A record of the Councillor Briefing held on 5 October 2022 is attached for public information.

To note that the scheduled 19 October Briefing was cancelled due to the flooding event within Buloke.

7.2 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: CR/13/01

PURPOSE

This report acknowledges and congratulates community persons and/or groups for their success in being recognised for a significant achievement or for being a recipient of an honourable award.

The report also informs Council of any letters of congratulations or any particular recognition of achievement that Council has received or been awarded in the past month.

MOTION:

That the Council acknowledge and congratulate the persons and/or groups mentioned in the report for their achievements.

MOVED: CR DARYL WARREN

SECONDED: CR GRAEME MILNE

CARRIED.

(R011/22)

Attachments: Nil

RECOGNITION OF ACHIEVEMENT ITEMS

Provider	Recipient	Date	Purpose for Recognition
Buloke Shire Council	Hon Jaala Pulford MLC Member for Western Victoria Electorate Victorian State Government		Acknowledging her retirement and her dedicated service and professionalism representing the constituents of the Western Victoria electorate in State Government.

7.3 CORRESPONDENCE INITIATED BY COUNCIL

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/06/06

PURPOSE

This report notes and records correspondence initiated by Council and informs the Council of the responses received from this correspondence.

MOTION:

That the Council notes the record of correspondence initiated by Council and the responses received.

MOVED: CR GRAEME MILNE

SECONDED: CR DARYL WARREN

CARRIED.

(R012/22)

Attachments: Nil

TABLE OF CORRESPONDENCE

Council Initiative	Sent/to be sent to	Sent	Response	Purpose of Letter/Response
Writes to Life Saving Victoria and Royal Life Saving Australia requesting the Lifeguard Course include an alternative fitness test.	Life Saving Victoria and Royal Life Saving Australia			To outline the concern that: <ul style="list-style-type: none"> (a) the long-distance swim does not reflect requirements of the Lifeguard role in community pools; and (b) the use of the long-distance swim as a standardised fitness test is a barrier to the Council's ability to attract/retain Lifeguards, consequently creating greater disadvantage to small rural councils in providing aquatic services to their communities.
Royal Life Saving Australia ((RLSA)	RESPONSE TO COUNCIL'S LETTER: Thank you for raising this matter. RLSA understands the workforce challenges currently facing the aquatic industry and has been communicating with governments at a federal and state level on these issues and how best to address them in the short and longer term. We also understand and appreciate the critical role that aquatic facilities play in regional and remote communities.			

We are thankful for your efforts in promoting and facilitating safe enjoyment of the water.

With regard to the requirement for a candidate to *'swim 200 metres in less than 6 minutes without using equipment'*, this is a requirement listed in the *SISCAQU007 Perform advanced water rescues* unit of competency. This unit forms part of the *SISSS00111 Pool Lifeguard Skill Set*. The Skill Set sits within the SIS Sport and Recreation Training Package and is part of the nationally recognised training system.

While we do not have direct carriage over these items, we do sit on the Sport and Recreation Industry Reference Committee, which influences the design of training packages. Within our position on this Committee as an aquatics peak body and technical advisor, we have raised the issues your Council, and other stakeholders in the aquatic industry have identified, and we have advocated and provided technical advice on the case for change. In fact, the sport, fitness, aquatics and recreation products within the Sport and Recreation Training Package have been subject to an extensive review process over the past 12 months and we expect that this issue will be resolved in the release of the new training package.

The new training package is likely to be released in November-December 2022 and it is likely that the requirement to swim 200 metres in 6 minutes will no longer form part of the unit of competency / pool lifeguard skill set. Candidates will instead be required to complete two separate rescue scenarios each requiring a 25-metre swim and 25-metre tow, along with a range of other performance assessment requirements that are critical in ensuring Lifeguards can respond to emergencies and effectively keep themselves and patrons safe.

It is important to note that the Department of Education Skills and Employment has final say on the release date of new training packages, and once released, Registered Training Organisations then have a 12-month period in which they must transition to delivery of the new products.

With respect to the Guidelines for Safe Pool Operations (GSPO), Royal Life Saving manages the GSPO on behalf of the National Aquatic Industry Committee (NAIC) and the Supervision Guideline, *SV12 Pool Lifeguard Fitness Assessments*, was updated in 2018 to align with the requirement in the current unit of competency. The Guidelines are developed by the NAIC in consultation with industry and any change to a Guideline is managed in accordance with the National Policy. The NAIC will review the relevant Guidelines once the new training products are officially published on the Australian Government website, training.gov.au. We work closely with NAIC members to support a safe and sustainable aquatic industry, a key part of this being the publication and management of the GSPO.

I understand this does not immediately resolve the issues you have outlined in your letter. It would be nice to be able to provide a more immediate solution; however, I trust I have been able to outline the framework we operate within and highlight that it does appear a resolution to this particular matter is imminent. We are happy to communicate directly with you to keep you abreast of progress on these matters if that is suitable and please don't hesitate to reach out if you have any further questions.

7.4 BUILDING PERMITS - MONTHLY UPDATE

Author's Title: Statutory Administration Support

Department: Works and Technical Services

File No:

EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 October 2022 to 31 October 2022.

MOTION:

That the Council note information contained in the report on Building Permits approved by staff from 1 October 2022 to 31 October 2022.

MOVED: CR DARYL WARREN

SECONDED: CR DAVID POLLARD

CARRIED.

(R013/22)

Attachments: Nil

LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Council Ref.	Permit No.	Address	Project Description	Date Approved
20220099	5941509053907	Gray Street, Donald	Demolition of Dwelling	06/10/22
20220100	6889506774078	Best Street, Sea Lake	Shelter	06/10/22
20220101	N/A	Berriwillock-Birchip Road, Birchip	PoPE – Mallee Root Round Up	13/10/22
20220102	5693034164812	High Street, Charlton	Replacement of Shelter Roof Framework and Corrugated Iron	13/10/22
20220103	2469757535877	Horace Street, Sea Lake	Garage/Storage Shed	13/10/22

LIST OF BUILDING PERMITS APPROVED BY PRIVATE BUILDING SURVEYOR

Permit No.	Address	Project Description	Date Approved
20220104	Bourkes Lane, Jeffcott	Re-stump of Dwelling	07/10/22
20220105	Birchip-Sea Lake Road, Marlbed	Farm Shed	04/10/22

7.5 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

Author's Title: Planning Officer

Department: Works and Technical Services

File No: LP/09/01

PURPOSE

This report provides information on planning applications under consideration by staff and the status of each of these applications.

MOTION:

That the Council note information contained in the report on planning applications under consideration by staff and the status of each of these applications.

MOVED: CR DARYL WARREN

SECONDED: CR DAVID POLLARD

CARRIED.

(R014/22)

Attachments: Nil

LIST OF PLANNING APPLICATIONS

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA962/21		Corack Road, Donald (Lot 1&2 PS216306M)	11/11/2021	Use and development of land for a service station, construct and display a business identification sign and create or alter access to Road Zone, Category 1	Awaiting referral response
PPA981/22		Donald Street, Charlton (PC157596)	18/05/2022	Construction of a single dwelling	Awaiting report
PPA986/22		High Street, Charlton (Lot 1 TP 193629)	01/06/2022	Construct and display an 18.26m2 double-sided, externally illuminated major promotion sign	Objection

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA987/22		Donald-Murtoa Road, Laen East (Lot 2 PS744335)	10/06/2022	Create access to a road in Transport Zone 2 for a dwelling	Permit issued
PPA992/22		Bunker Road, Donald (Lot 2 LP209107)	06/07/2022	Construct and display an illuminated, double-sided major promotion sign	Permit issued
PPA993/22		High Street, Charlton (Lot 1 & 2 TP216537)	08/07/2022	Construction of a shed for domestic use	Referral Authority - Request for further information
PPA994/22		Rutherford Street Charlton (CP153475)	20/07/2022	Construction of a verandah and deck	Permit issued
PPA995/22		Donald-Swan Hill Road, Corack East (CA 3 Sec C Parish of Corack East)	20/07/2022	Building and works associated with a telecommunications facility	Permit issued
PPA996/22		Tonkins Road, Jeffcott (CA 29, 30 & 31 Parish of Jeffcott)	22/07/2022	Three lot subdivision of land (boundary realignment) and removal of easement	Awaiting report
PPA997/22		Industry Drive, Donald (Lot 69 PS444989)	28/07/22	Development of land for a service station (unmanned fuel cell) and construction and display of a business identification sign	Awaiting report
PPA998/22		Cheetham Salt Road, Bimbourie (CA 50A Parish of Bimbourie)	09/08/2022	Works to upgrade an existing concrete pad and the installation of a new 12mx12m concrete pad associated with an existing salt harvesting facility	Permit issued
PPA999/22		Donald-Swan Hill Road, Towaninny	13/08/2022	Subdivision of land (boundary realignment and dwelling excision) resulting in three lots	Awaiting report
PPA1000/22		Taverner Street, Birchip (Lot 21 LP3071)	15/08/2022	Three-lot subdivision of land and construction of two dwellings	Awaiting report

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA1002/22		Menzies Street, Charlton (CA 3, Sec. 12, Parish of Charlton East)	09/09/2022	Construction of a verandah	Awaiting report
PPA1003/22		Warracknabeal-Birchip Road, Warmur	31/08/2022	Subdivision of land (boundary realignment)	Awaiting report
PPA1004/22		Berriwillock-Birchip Road, Berriwillock	05/09/2022	Subdivision of land (boundary realignment)	Awaiting report
PPA1005/22		Calder Highway, Berriwillock (CA21 Sec. 1, Parish of Boigbeat)	03/10/2022	Building and works associated with a telecommunications facility	Permit issued
PA22001		Wright Street, Charlton (CA19 Sec. 10A, CA20 Sec. 10A, CA21 Sec. 10A)	11/10/2022	Development of land to construct a single storey dwelling	Referral

7.6 STATUS OF ACTION OF PAST COUNCIL MEETING RESOLUTIONS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

PURPOSE

To provide Council with a list of the Status of Action (SOA) of Council Resolutions outstanding for action and the SOA for the 12 October 2022 Council Meetings Resolutions.

MOTION:

Council to note the Status of Action Report for Council resolutions documented on this list.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR DAVID POLLARD

**CARRIED.
(R015/22)**

Attachments: 1 Action taken on Council Resolutions - Outstanding items and 12 October 2022

KEY POINTS/ISSUES

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with the Council's Governance Rules adopted August 2020, Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured and is a fundamental principle of democratic governance.

Attached to this report for public information is a list of the SOA of Council Resolutions outstanding and introducing the SOA for the 12 October 2022 Council Meeting Resolutions.

8. GENERAL BUSINESS

8.1 POLICY REPORTS

8.1.1 SALE OF LAND POLICY

Author's Title: Director Infrastructure and Delivery

Department: Works and Technical Services

File No: CP|02|08

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

The purpose of this Report is to present to the Council the Sale of Land Policy (Policy) for adoption.

SUMMARY

The Policy outlines the Council's position on the sale of Council land and provides guidance in Council decisions on matters which are to be taken into account when determining whether the sale of Council land is to be pursued. The Policy has been prepared in recognition of the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land, 2009.

The Council will offer the land for sale at the current market value unless there is a tangible net community or social benefit which will be realised from the sale of Land. The Policy does not apply to Crown Land.

MOTION:

That Council adopt the Sale of Land Policy.

MOVED: CR GRAEME MILNE

SECONDED: CR BERNADETTE HOGAN

**CARRIED.
(R016/22)**

Attachments: 1 Sale of Land Policy

DISCUSSION

The purpose of this Policy is to outline Council's position on the sale of Council Land to ensure that the process is conducted in a lawful, transparent, and equitable manner.

The Policy provides guidance to Council on the matters which are to be taken into account when determining whether the sale of Council Land should be pursued.

The Policy has been prepared in recognition of the *Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land* dated June 2009 which remains the current authority on best practice principles for the sale, exchange, and transfer of land within the sector.

A key consideration in the proposed sale of Council Land is achieving the best outcome for the community balanced against the requirement for Council to manage its finances responsibly and achieving its strategic and operational objectives.

Council will offer the land for sale at the current market value as assessed by a valuer unless there is a tangible net community or social benefit that will be realised from the sale of the land.

The Policy applies to all Council Land, including buildings located on land which are owned by Council. The Policy does not apply to Crown Land including Crown Land for which Council is the appointed Committee of Management.

The discontinuance and sale of roads is carried out in accordance with clause 3, Schedule 10 of the *Local Government Act 1989*.

The Draft Sale of Land Policy was presented to the Audit and Risk Committee Meeting held Tuesday, 20 September 2022.

RELEVANT LAW

The sale of Council Land must be undertaken in accordance with s. 114 of the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

In accordance with the Policy, any proposed Sale of Land will be placed on public exhibition in accordance Council's Community Engagement Policy.

Council will also provide the proposed sale through its website.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

Council will need to obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to the sale or exchange. A sale price will then be determined for the land prior to sale.

Council will offer the land for sale at the current market value as assessed by a valuer unless there is a tangible net community or social benefit that will be realised from the sale of the land.

The proceeds from the sale of Council Land must be received by Council prior to the determination of the expenditure which is to be used for either –

- the acquisition of new assets; or
- the enhancement of existing assets.

The sale proceeds must not be utilised for recurrent or operational purposes.

The proceeds from the sale and any costs associated with the sale process will be included in the annual budget process.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

Prior to the sale or exchange of land, the Council must publish notice of its intention to do so and undertake a community engagement process in accordance with its Community Engagement Policy. Any public notification must be informative, ensuring that the subject land is clearly identified, and the way engagement activities are to be undertaken is clearly explained.

CONFLICTS OF INTEREST

No Officer involved in the preparation of the Policy, or this Report has any conflicts of interest to disclose.

8.1.2 RISK MANAGEMENT POLICY | RISK MANAGEMENT FRAMEWORK

Author's Title: Director Infrastructure and Delivery

Department: Works and Technical Services

File No: CM|14|18

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To present the Risk Management Framework and Risk Management Policy to the Council for adoption.

SUMMARY

The Risk Management Framework and Risk Management Policy clearly document the Council's commitment to risk management principles and practices. The review of these documents has considered contemporary risk management practices applicable to the local government sector.

MOTION:

That Council adopt the Risk Management Policy and Risk Management Framework.

MOVED: CR DAVID POLLARD

SECONDED: CR BRONWYN SIMPSON

CARRIED.

R017/22

Attachments:

- 1 Risk Management Policy
- 2 Risk Management Framework

DISCUSSION

A review of the Council's risk management function has been undertaken following an audit conducted by the Council's Internal Auditors. The review incorporates a number of key initiatives to promote consistency of risk management within the Council, taking into account strategic and operational objectives and changes to operations and processes.

The underlying objective of the risk management review has been to promote risk management as an essentially component of the Council's processes through a review of the Risk Management Policy and the Risk Management Framework, ensuring both documents are appropriate and reflect the Council's size and complexity.

A summary of the key components of the Risk Management Policy and Risk Management Framework are set out below:

- (a) Risk Management Policy

The purpose of this Policy is to clearly document Council's commitment to risk management principles and practices.

In meeting this objective Council recognises risk management activities should not be separate from its main activities – effective risk management is an essential component in the framework of good corporate governance, and good decision making and management practice.

(b) Risk Management Framework

The Framework provides details of the requirements and processes supporting Council's Risk Management Policy. It is designed to assist managing uncertainty, its associated risks, and opportunities, and enhance Council's ability to achieve its objectives.

The Framework outlines the key principles, elements, and processes to guide all staff in the effective management of risk, as a component of day-to-day decision making and business practice.

RELEVANT LAW

The Risk Management Policy and Framework address a number of legislative requirements, regulatory requirements, and industrial instruments. Reference to specific legislation, regulations or industrial instruments has been made within the documents.

The Risk Management Framework directly links to the overarching governance principles the Council must consider in its decision-making process, as set out under section 9 of the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

The current Risk Management Policy and Risk Management Framework were adopted by the Council at the Council Meeting scheduled 14 June 2017.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

The Risk Management Framework provides for acceptance and non-acceptance of risk associated with the economic, social, and environmental sustainability of the municipal district, including mitigation, and planning for climate change risks

COMMUNITY ENGAGEMENT

The Risk Management Framework provides for acceptance and non-acceptance of risk associated with community engagement practices.

INNOVATION AND CONTINUOUS IMPROVEMENT

The Risk Management Framework provides for acceptance of decisions which enable the pursuit of innovation and continuous improvement.

COLLABORATION

The Risk Management Framework provides for acceptance of decisions which provide benefits through collaboration with other councils, governments, and statutory bodies.

FINANCIAL VIABILITY

The Risk Management Framework provides for acceptance and non-acceptance of risk associated with the long-term financial sustainability of the Council.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Risk Management Framework provides for acceptance of decisions which are made, and actions which are taken, in consideration of regional, state, and national plans and policies.

COUNCIL PLANS AND POLICIES

The Risk Management Framework outlines the risk tolerance which will be applied across all Council decision making processes.

TRANSPARENCY OF COUNCIL DECISIONS

The Risk Management Policy and Risk Management Framework provides for non-acceptance of risks which damage the Council's reputation through a lack of transparency associated with Council decisions, actions, and information.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Director Infrastructure and Delivery I, Hannah Yu, have no conflicts of interest to disclose in this report.

8.2 MANAGEMENT REPORTS

8.2.1 COMMUNITY GRANTS AND SPONSORSHIPS

Author's Title: Community Development Officer

Department: Community Development

File No: GS/09/42

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

This report is presented to Council to consider the allocation of funds from the Community Grants and Sponsorship Program.

SUMMARY

Presenting three applications for the Community Grants and Sponsorship program and one Sustainability Grant application for the 2022/2023 Financial Year.

MOTION:

That Council considers the following funding under the Community Grants and Sponsorship program:

- (a) \$2,000.00 project support grant to the Sea Lake Golf and Bowls Club
- (b) \$459.25 project support grant to the Charlton Forum
- (c) \$1,000.00 project support grant to the Wycheproof Caravan Park
- (d) \$6,481.82 Sustainability Grant to the Charlton Park Community Asset Committee

MOVED: CR DAVID POLLARD

SECONDED: CR BERNADETTE HOGAN

CARRIED.

(R018/22)

Attachments: 1 November Council Meeting Fund table

DISCUSSION

The following applications for funding are being put forth to Council for final decision.

These applications were assessed by an assessment panel of two Council Staff from across the organisation, as per the Community Grant Guidelines as accepted by Council. Assessment Panel recommends the following grants for council's consideration and final decision on the allocations.

Project: Sea Lake Golf and Bowls Club	
	Sea Lake Golf Bowls
Grant Type	Project support grant
Amount Applied:	\$2,000.00
Funding Amount Recommended:	\$2,000.00
Full project cost:	\$25,743.00
Project Description:	Funding to upgrade the current Sea Lake Golf Bowls Club kitchen to enhance the usability of the facility for both Club members and the wider community. They have already received a \$20,000.00 grant from the Federal Government to undertake this work.
Project Benefit:	The kitchen upgrade would encourage greater community use of the space and allow for additional revenue through the hiring out of the space.
Assessment Panel Scoring	Average score of 21.5 out of 25 All members of the panel recommended the project be funded for the full amount requested (\$2000.00).
Project: Travellers Rest Condom Machines	
	Charlton Forum
Grant Type	Project Support Grant
Amount Applied:	\$459.25
Funding Amount Recommended:	\$459.25
Full project cost:	\$918.50
Project Description:	Installation of an additional condom vending machine in the men's toilets of the Charlton Travellers Rest, and the relocation of the existing condom machine to the female toilets in the Travellers Rest public toilet.
Project Benefit:	Better access of the condom vending machines for the community, particularly youth living in Charlton. It will mean that residents and travellers will be able to purchase condoms out of hours and in a discrete manner.
Assessment Panel Scoring	Average score of 15.5 out of 25 All members of the panel recommended the project be considered for the full amount requested (\$459.25).
Project: IT System Upgrades	
	Wycheproof Caravan Park
Grant Type	Organisation Support Grant
Amount Applied:	\$1,000.00
Funding Amount Recommended:	\$1,000.00
Full project cost:	\$2,291.00
Project Description:	Upgrade IT equipment wo meet expectations of travelling public who want to use different payment options, and this funding will help to meet this need.
Project Benefit:	Travellers visiting the park and staying in the area, in addition the volunteers who are using these systems.
Assessment Panel Scoring	Average score of 18 out of 25 All members of the panel recommended the project be funded for the full amount requested (\$1000.00).

Project:	Charlton Park Sustainability Grant
	Charlton Park Community Asset Committee
Grant Type	Sustainability Grant
Amount Applied:	\$6,481.82
Funding Amount Recommended:	\$6,481.82
Full project cost:	\$9,857.73
Project Description:	Replacement of a bladder for a water tank that will hold run off water to enable year long watering of the facilities in Charlton Park.
Project Benefit:	Users of the playing fields at Charlton Park will be able to access these facilities year-round, as the water stored in the tank will enable these areas to be watered, enhancing the natural environment of the space.
Assessment Panel Scoring	Average score of 25 out of 30 All members of the panel recommended the project be funded for the full amount requested (\$6,481.82).

2022/2023 Community Grant Fund grants prior to this allocation: \$16,500

2022/2023 Sustainability Grant Fund grants prior to this allocation: \$40,000

RELEVANT LAW

Not Applicable

RELATED COUNCIL DECISIONS

Not Applicable

OPTIONS

Council has the option not to allocate funds as per recommended or defer for further information.

SUSTAINABILITY IMPLICATIONS

Project sustainability is the responsibility of the applicant. One grant application directly relates to environmental sustainability.

COMMUNITY ENGAGEMENT

Community Development Officer engaged with each applicant listed.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not Applicable

COLLABORATION

Not Applicable

FINANCIAL VIABILITY

These applications for the 2022/23 Financial Year from the \$20,000 allocation for Community Grants and the Sustainability Fund \$50,000 allocation.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not Applicable

COUNCIL PLANS AND POLICIES

Buloke Shire Council Plan 2021-2025 and Long-Term Community Vision.
Community Grant Guidelines.

Community Engagement Policy.

TRANSPARENCY OF COUNCIL DECISIONS

Not Applicable

CONFLICTS OF INTEREST

No officers involved in this report have a conflict of interest.

8.2.2 AUDIT AND RISK COMMITTEE CHARTER

Author's Title: Director Infrastructure and Delivery

Department: Works and Technical Services

File No: FM|02|09

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To ensure the Council remains compliant with the *Local Government Act 2020* (the Act) in relation to its Audit and Risk Committee (Audit Committee) by reviewing and adopting an Audit and Risk Committee Charter (Charter).

SUMMARY

The Buloke Shire Council's Audit Committee is established in accordance with the Act and supports the Council through advice on the:

- Integrity of the Council's financial reporting
- Effectiveness of the Council's risk management systems, internal control framework, compliance, governance, and internal audit activities
- Effectiveness of communication strategies between the Council's external auditor, internal auditor, and management.

The Charter was last reviewed and adopted in August 2020.

MOTION:

That Council approve the Audit and Risk Committee Charter as attached.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR DAVID POLLARD

CARRIED.
(R019/22)

Attachments: 1 Audit and Risk Committee Charter - November 2022

DISCUSSION

The current Audit Committee Charter, adopted by the Council in August 2020, provides for a biennial review of the Charter to ensure it continues to reflect best practice and remains reflective of the Audit Committee's remit.

Following a review by the Audit Committee at its September 2022 Meeting, the below matters were proposed to be included in the revised Charter:

- That the Audit Committee comprise of the Deputy Mayor in addition to its current membership, being three Independent Members and the Mayor

- Provision for Circulated Motions
- Reference to the Audit Committee's responsibilities in relation to fraud prevent systems and controls.

The attached revised Charter has been updated to incorporate the above proposals.

RELEVANT LAW

Section 54 of the Act provides that the Council must prepare and approve the Charter.

RELATED COUNCIL DECISIONS

The current Charter was reviewed and adopted at the Council's Meeting held in August 2020.

OPTIONS

The proposed Charter provides that the Audit Committee will comprise of three independent members, the Mayor, and one other Councillor to be appointed as Delegate to the Audit Committee at the Council's annual Statutory Meeting as part of the review of Councillor Delegations. In the absence of the Mayor and/or the Council Delegate, the Mayor shall appoint another Councillor(s) to attend.

The Council may determine maintain the current status quo, which is to appoint one Councillor, currently the Mayor, to the Audit Committee.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The Audit Committee is required to monitor financial and performance reporting in accordance with the Charter.

Fees paid to independent members of the Audit Committee are included as operational expenses within the adopted Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

The Audit Committee is required to monitor the Council's compliance with its policies with the overarching governance principles, the Act, associated Regulations, and any Ministerial directions.

TRANSPARENCY OF COUNCIL DECISIONS

The Audit Committee must undertake an annual assessment of its performance against the Charter. The assessment must be tabled at a Council Meeting. The Audit Committee must also prepare a reporting setting out its activities which must be tabled at a Council Meeting.

CONFLICTS OF INTEREST

In providing this recommendation to the Council as the Director Infrastructure and Delivery I, Hannah Yu, have no interests to disclose in this report.

8.2.3 AUDIT AND RISK COMMITTEE CHAIR REPORT

Author's Title: Director Infrastructure and Delivery

Department: Works and Technical Services

File No: FM|02|09

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To provide the Council with the Biannual Audit and Risk Report (Biannual Report) from the Chair of the Audit and Risk Committee (Audit Committee).

SUMMARY

The Biannual Report from the Chair of the Audit Committee was provided to the Chief Executive Officer on 6 October 2022. It describes the activities of the Audit Committee and includes its findings and recommendations.

MOTION:

That Council notes the Biannual Audit and Risk Report from the Chair of the Audit and Risk Committee.

MOVED: CR BRONWYN SIMPSON

SECONDED: CR GRAEME MILNE

CARRIED.
(R020/22)

Attachments: 1 Audit and Risk Committee Biannual Chair Report October 2022

DISCUSSION

The *Local Government Act 2020* (act) provides that the Audit Committee must prepare a Biannual Report which describes the activities of the Audit Committee and includes its findings and recommendations.

The Act further provides that these reports must be provided to the Chief Executive Officer for tabling at the next scheduled Council Meeting.

RELEVANT LAW

Section 54(5)(b) of the Act requires the Chief Executive Officer provide a copy of the Biannual Report to the Council.

RELATED COUNCIL DECISIONS

The Audit Committee was established by the Council at the Council Meeting held on 12 August 2020. The last Biannual Report was noted by the Council at the Council Meeting held on 13 April 2022.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The Audit and Risk Committee is required to monitor financial and performance reporting.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

The Audit Committee is an Advisory Committee to the Council and its role is to ensure good governance and provide guidance on how the Council will work with the Audit Committee for the benefit of the organisation and the community.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Director Infrastructure and Delivery I, Hannah Yu, have no interests to disclosure in this report.

8.2.4 REAPPOINTMENT OF INDEPENDENT MEMBER | AUDIT AND RISK COMMITTEE

Author's Title: Director Infrastructure and Delivery

Department: Works and Technical Services

File No: SM|02|10

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To recommend the reappointment of Mr Dean Sleigh as an Independent Member of the Audit and Risk Committee (Audit Committee) for a further term of 3 years.

SUMMARY

Mr Dean Sleigh will conclude his first term as Independent Member on the Council's on 14 November 2022. This report recommends his reappointment for a second term of 3 years on the Audit Committee commencing 15 November 2022.

MOTION:

That Council reappoint Mr Dean Sleigh as an Independent Member on the Council's Audit and Risk Committee for a further term of 3 years commencing 15 November 2022 and expiring 15 November 2025.

MOVED: CR CAROLYN STEWART

SECONDED: CR GRAEME MILNE

CARRIED.
(R0121/22)

Attachments: Nil

DISCUSSION

The Audit Committee consists of four members comprising 3 Independent Members and the Mayor as the representative of the Council. The Audit and Risk Committee Charter provides for the appointment of Independent Members for an initial term of 3 years, with the option to request reappointment after the first term should they wish to continue.

Mr Sleigh was initially appointed as an Independent Member in November 2019. He has an extensive career in roles across executive finance, governance and risk management positions in the private sector and has worked with boards in various organisations. During his initial term he has taken a keen interest in the operations of the Council and has provided valuable feedback to the Council, its auditors and management.

Mr Sleigh wrote to express his interest in continuing his role as Independent Member for a further term points 15 November 2022.

This report recommends Mr Sleigh's reappointment for a further term in accordance with the Charter.

RELEVANT LAW

Section 53 of the *Local Government Act 2020* requires the Council to establish an Audit Committee which must consist of a majority of members who are not Councillors and cannot include a member of Council staff.

RELATED COUNCIL DECISIONS

The Audit Committee was established by the Council at the Council Meeting held on 12 August 2020. Mr Sleigh was appointed by the Council to the Audit Committee at the Council Meeting held on 13 November 2019.

OPTIONS

The Council may determine note to reappoint Mr Sleigh to the maximum allowable term.

In the event the Council determines not to reappoint Mr Sleigh for any further term, the Council will be required to seek expressions of interest to appoint a new Independent Member.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

Fees are paid to Independent Members of the Audit Committee on a per meeting basis in accordance with the section 53(6) of the *Local Government Act 2020*. Payment of fees for Independent Members are provided for as operational expenses in the adopted Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

The Audit and Risk Committee Charter is available on the Council's website. Minutes of the Audit Committee are made available to the public through adoption of Council Meeting Minutes, other than those matters considered confidential.

CONFLICTS OF INTEREST

In provided this recommendation to the Council as the Director Infrastructure and Delivery I, Hannah Yu, have no conflicts of interest to disclose.

8.2.5 FINANCIAL AND PERFORMANCE STATEMENTS

Author's Title: Acting Manager Finance

Department: Corporate Services

File No: FM/02/08

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to have the Council approve, in principle, the Financial Statements and Performance Statement (Statements) for the 2021-22 financial year and to authorise two (2) Councillors to sign the final form statements on behalf of the Council.

SUMMARY

The preparation of the Financial and Performance Statements is a legislative requirement.

Council previously considered the Financial and Performance Statements matter at the Council Meeting held Wednesday, 12 October 2022.

Council authorised the Mayor, Cr. Warren, and the Deputy Mayor, Cr. Getley, to sign the final form Financial Statements and Performance Statement on behalf of Council.

Following discussions with Victorian Auditor-General's Office, due to many parts of country Victoria been impacted by flood events since 13 October a subsequent event needs to be closed out and a note 8.5 Events occurring after balance date needs to be included in the Notes to the Financial Statements for the year ended 30 June 2022.

The subsequent event has arisen post signing by Buloke Shire Council and prior to signing by the Victorian Auditor-General's Office.

It is now appropriate for Council to re-approve the Statements in principle and authorise two (2) Councillors to re-sign the final Statements.

MOTION:

That Council:

1. Notes the updated Notes to the Financial Statements for the year ended 30 June 2022 at Note 8.5 Events occurring after balance date; and
2. Confirms its authorisation for the Mayor, Cr Getley, and the Deputy Mayor, Cr Pollard, to sign the final form Financial Statements and Performance Statement on behalf of, and with full authority of, the Council.

MOVED: CR DARYL WARREN

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R022/22)

Attachments: 1 Buloke Shire Council - Performance Statement 2021-2022

2 Buloke Shire Council - Financial Statements 2021-2022

DISCUSSION

Under Section 98 of the *Local Government Act 2020* a council must in respect of each financial year, prepare an Annual Report that includes audited Statements for the financial year. These Statements must be prepared in the prescribed manner and form and be certified by the Auditor General.

This year the Victorian Auditor General's Office agents Crowe acted as Council's auditors. The Statements have been reviewed by the Victorian Auditor General's Office.

Following discussions with Victorian Auditor-General's Office, due to many parts of country Victoria been impacted by flood events since 13 October, a subsequent event needs to be closed out and at note 8.5, Events occurring after balance date, needs to be included in the Notes to the Financial Statements for the year ended 30 June 2022.

The subsequent event has arisen post signing by Buloke Shire Council and prior to signing by the Victorian Auditor-General's Office.

Council is required to approve, in principle, the Statements prior to receiving certification from the Auditor General. The Council must also authorise two (2) Councillors to certify the Statements in their final form; historically the Mayor and the Deputy Mayor.

RELEVANT LAW

The Statements have been prepared in accordance with Australian Accounting Standards and Interpretations, the *Local Government Act 2020* and the Regulations.

Council's Statements must be audited to meet the requirements as set out under the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

At the Council Meeting held Wednesday, 12 October 2022, Council resolved (R122/22) as follows:

That Council:

- 1. Approves in principle the Financial Statements and Performance Statement for the 2021-22 Financial Year;*
- 2. Authorises the Mayor, Cr. Warren, to approve last minute changes on an immaterial nature on the advice of Council's External Auditor; and*
- 3. Authorises the Mayor, Cr. Warren, and the Deputy Mayor, Cr. Getley, to sign the final form Financial Statements and Performance Statement on behalf of, and with full authority of, the Council.*

OPTIONS

Not applicable to this report.

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

Community consultation was not required in the preparation of the Statements. However, the Statements will be made available as public documents following the Auditor-General's approval. The

Statements will form part of the Council meeting minutes and will be published in Council's Annual Report.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

The Statements are a report back to the community on Council's performance against the adopted 2021-22 Annual Budget, along with performance against measures and targets for Key Strategic Activities specified in the 2021-22 Annual Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable to this report.

COUNCIL PLANS AND POLICIES

The Statements are a report back to the community on Council's performance against the performance against measures and targets for Key Strategic Activities specified in the 2021-22 Annual Budget.

TRANSPARENCY OF COUNCIL DECISIONS

The availability of Council's audited financial and performance reporting to the community essential for ensuring transparency and accountability to the community and other levels of government.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Acting Manager Finance, I, Anthony Smith, have no interests to disclose in this report.

8.3 FINANCIAL REPORTS

8.3.1 FINANCE REPORT AS AT 30 SEPTEMBER 2022

Author's Title: Acting Manager Finance

Department: Office of the CEO

File No: FM/19/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To present to the Council the financial statements for the period ending 30 September 2022.

SUMMARY

The forecasted year-end surplus in the adopted budget was \$3.4m. The current forecasted year-end surplus remains similar at this early stage of the financial year at \$3.7m anticipating no significant capital project delays impacting capital grant income recognition.

Actual to Approved (Budget) reporting year-to-date includes timing variances which only relate to the months in which the income or expenditure is incurred. Timing differences are anticipated to be resolved throughout the financial year and not expected to impact the Full Year Forecast result. Any non-timing variances that are anticipated to impact the Full Year Forecast are discussed further below.

MOTION:

That Council receives and notes the Financial Performance Report for the month ending 30 September 2022.

Moved: CR DAVID POLLARD

Seconded: CR GRAEME MILNE

CARRIED.
(R023/22)

Attachments:

- 1 Income Statement
- 2 Balance Sheet
- 3 Cashflow Statement
- 4 Cashflow Forecast
- 5 Cashflow Chart
- 6 Capital Works Statement

DISCUSSION

Report:	Report explanation:	Year to date performance to Budget and Forecast outcome:
<p>Income Statement</p> <p>Income Statement (Continued)</p>	<p><i>The Income Statement provides a summary of the total income and total expenditure relating to Council's annual operations for the reporting period. Capital grant income is included in this statement, but any related expenditure is not reflected as this is reported as increased assets on the Balance Sheet. To exclude potential distortion of underlying operations in the Income Statement, capital income is reported separately to identify the Operating Net Surplus/(Deficit).</i></p> <p><i>Prescribed expenditure of Capital Income is not included in the Income Statement, and this can distort the analysis of the financial performance which is better reflected by the Operating Net Surplus/(Deficit). Capital expenditure against capital grant income is provided in the Capital Work Program report and as additional assets on the balance sheet.</i></p>	<p>Operating result:</p> <ul style="list-style-type: none"> • Positive variance for Rates and charges from supplementary rates processed and Windfarm PILOR higher than budget following prior year output reconciliation process. • Positive variance for Grants – operating due to higher than expected FAG and additional non-recurrent grants in Community Development and Roads. Additional grants related to TAC Road Safety, Agricultural Dependent Communities and Capability & Capacity Improvement (Roads Management). • Positive variance for Other Income due to Workcover reimbursements and settlement of Native vegetation removal action. • Positive variance for Employee Costs reflecting current underspend due to vacant substantive positions. • Negative variance in Material and services mostly due to expenditure related to additional non-recurrent grant expenditure, contractor back fill of vacant employment positions, director recruitment and engagement of Peter Maloney to fulfill infrastructure valuation requirements post VAGO audit. • Variances in Depreciation will be reviewed and confirmed during year-end processing following conclusion of capital projects. • Negative variation in Other expenses is mostly due to late payment of 2021-22 Recreational Reserve payments to Wycheproof and Sea Lake committees. <p>Capital Income:</p> <ul style="list-style-type: none"> • Timing of Capital Income is still to be confirmed in line with the milestone progress of capital projects. At this early stage of the year, all income is reported by default in June 2023. No significant anticipated capital project delays have been advised to date.
<p>Balance Sheet</p>	<p><i>The Balance Sheet summarises the value of Assets (what Council owns) and our Liabilities (what Council owes), and the difference between assets and liabilities (Net Assets or</i></p>	<ul style="list-style-type: none"> • Cash has decreased \$4.2m since 30 June reporting in accordance with our regular cycle pending the bulk of rate payments in February 2023. • The Cash balance includes \$6.2m of unearned grant income that is restricted to specified expenditure for the completion of capital projects.

	<i>Equity) reflects Council's net worth as at the end of the month reported.</i>	
Cashflow Statement	<i>The Cashflow Statement reflects actual results for the reporting period in line with statutory financial reporting.</i>	<ul style="list-style-type: none"> Approximately \$7.9m of cashflow has been used to support the capital works program year-to-date.
Cashflow Forecast	<i>The Cashflow Forecast is a projection of cashflow for the remainder of the year based on the month-end cash balance, the monthly budgets, specified timing parameters (such when BAS/super are due and quarterly rate receipts) and capital expenditure.</i>	<ul style="list-style-type: none"> Timing assumptions have been made regarding Capital project income and expenditure for 2022-23. While this is still being confirmed in accordance with capital project progression, all income and expenditure is reported in June 2023 by default.
Cashflow Chart	<i>The Cashflow Chart visually depicts the cashflow forecast and the updated format is illustrated in a dual design, based on best practice reporting.</i>	
Capital Works Program	<i>The Capital Works Statement lists the expenditure for each project incurred to date.</i>	<ul style="list-style-type: none"> The individual capital project budgets result in both capital assets and annual expenses depending on the nature of the assets acquired through the project under Australian Accounting Standards. The estimated outcome between operational and capital was reflected in the 2022-23 adopted budget. Approximately one-third of the capital project budgets expenditure has been engaged with suppliers to date.

RELEVANT LAW

This report is consistent with the requirements of the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

The Council adopted its Annual Budget 2022-23 on 29 June 2022.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

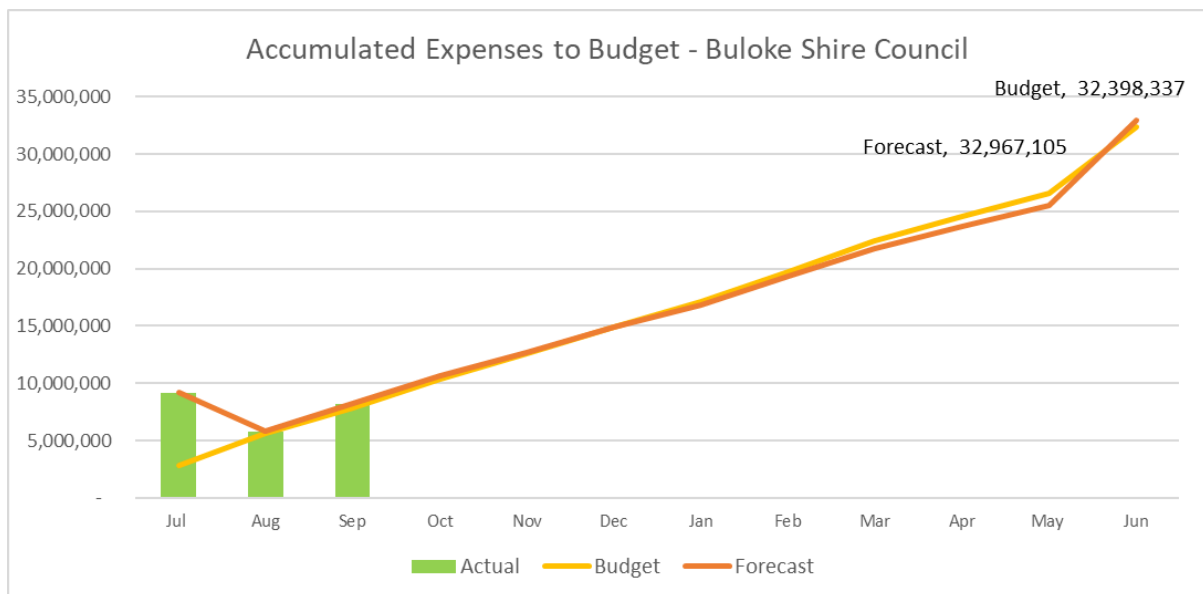
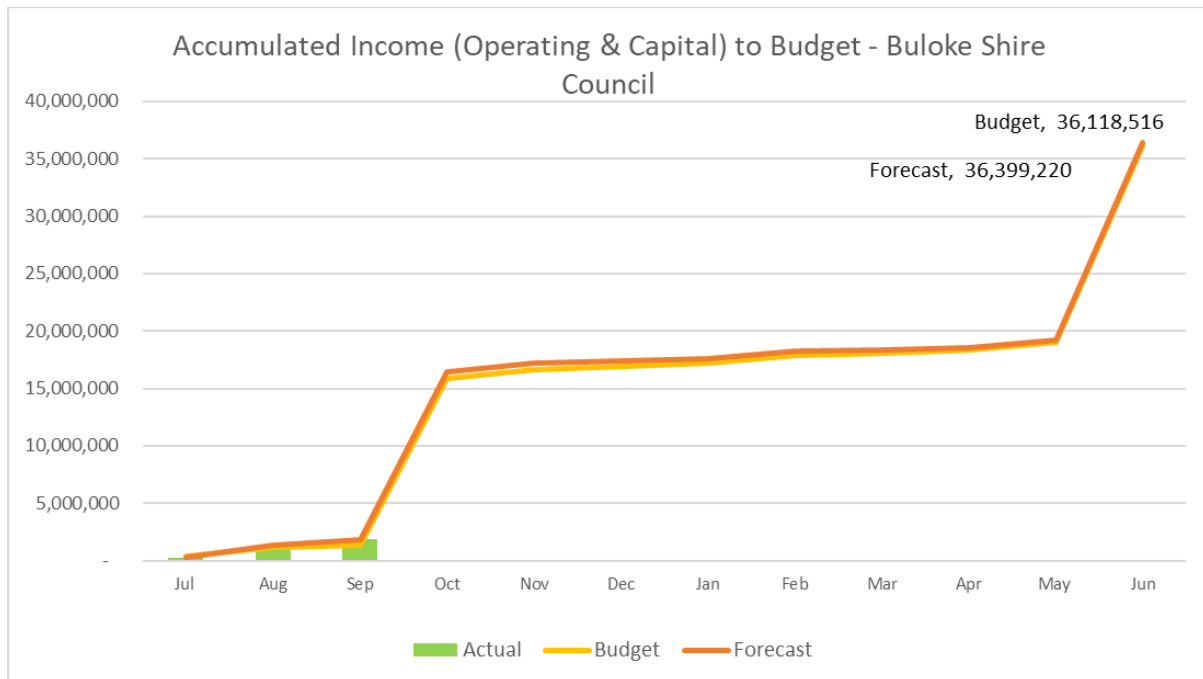
Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The tables below provide an overview of Council’s financial performance against Adopted budget income and expenses at 30 September 2022.



REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Council adopted its Annual Budget 2020/21 in July 2020. The Buloke Shire Council Plan 2017-21 outlines Council’s commitment to providing clear and concise reporting on a monthly basis to Council meetings.

TRANSPARENCY OF COUNCIL DECISIONS

Financial reporting ensures the Council and the Buloke community are aware of financial implications of decisions and actions. Reporting Council’s financial position allows the Council to monitor and respond to financial risk.

CONFLICTS OF INTEREST

No officer involved in the preparation of this report had a conflict of interest.

8.4 ORGANISATIONAL REPORTS

Nil

8.5 REPORTS FROM COUNCILLORS

Verbal reports were tabled at the Council Meeting by Councillors.

9. OTHER BUSINESS**9.1 NOTICES OF MOTION****9.1.1 THANK THE WYCHEPROOF COMMUNITY FOR THEIR SUPPORT OF THE EMERGENCY RELIEF CENTRE****Author's Title:** Community Development Officer**Department:** Community Development**File No:** CR/13/01**Relevance to Council Plan 2021 - 2025****Strategic Objective:** Our Community Wellbeing**PURPOSE**

That Council recognise the generosity of the Wycheproof community with their support of the Wycheproof Emergency Relief Centre (ERC), and particularly show our appreciation to the Wycheproof P-12 College community for the use of their stadium complex over this time.

SUMMARY

As a result of the October flooding events that affected many of our towns, Council, under the direction of the Incident Controller, opened an Emergency Relief Centre (ERC) in the stadium and multi-purpose rooms at the Wycheproof P-12 College for twelve days.

Throughout the period of the ERC being open, the Wycheproof community was incredibly generous in their support through various donations including bedding, blankets, board-games, and supply of food for all the residents and support staff at the ERC.

Council would like to thank all of the businesses and community groups that have supported the ERC during this time, with a special mention to the Wycheproof P-12 College, Wycheproof Op-Shop, Wycheproof Lions Club, Wycheproof Bakery, Terminus Hotel, The Royal Mail Hotel, the Mount Wycheproof Motor Inn, Wycheproof IGA, Swan Hill Vinnies, Wycheproof Hardware Store, Wycheproof Caravan Park and the many others who provided assistance and support.

MOTION:

That Council write a letter of appreciation to the listed groups and businesses thanking them for their support of the Emergency Relief Centre.

MOVED: CR DAVID POLLARD**SECONDED:** CR BERNADETTE HOGAN**CARRIED.****(R024/22)****Attachments:** Nil

9.1.2 ADVOCATING FOR REALISTIC FUNDING FOR FLOOD REPAIR FOR LOCAL ROADS

Author's Title: Councillor Warren

Department: Office of the CEO

File No: GR/05/01

PURPOSE

That Council advocates to the Federal Government for a more realistic funding model for the reinstatement of local roads and related infrastructure damaged by floods.

SUMMARY

As a result of the October 2022 flooding event there has been significant damage to Council's road network.

Current Federal Government funding models mean that damaged roads can only be reinstated to the level of service they were at at the time of the damage.

The 'No betterment' approach taken by the Federal Government's National Recovery and Resilience Agency is not fit for purpose.

This poses a narrow view and is not the best use of tax payer money as often an upgrade at the point of damage would negate or significantly decrease future flood related damage if upgrades to the network were made instead of just reinstatement works.

Council has a road network of some 5,300 kilometres with a further 747 kilometres of State Government controlled road within Buloke Shire Council.

As Victoria's agricultural heartland, our road network is life. Rural communities are often left with inferior assets or assets way beyond intervention level. It is unacceptable that road works would be carried out on any road and there not be an approach to achieve the best outcome for all road users to drive safety and economic benefits.

With the size of transport vehicles increasing and reliance on road freight as opposed to rail in many parts of the state, anything less would be in contradiction of Council's Long Term Financial Planning and Road Management Planning.

MOTION:

That the Council to advocate to the Federal Government for 'Betterment' works to be included in the Disaster Recovery Funding Arrangements funding scheme to enable Council to reconstruct assets to a more disaster resilient standard than that of its pre-disaster function.

MOVED: CR DARYL WARREN

SECONDED: CR GRAEME MILNE

CARRIED.

(R025/22)

MOTION:

That the Council also advocate to the State Government for 'Betterment' works to be included in the Disaster Recovery Funding Arrangements funding scheme to enable Council to reconstruct assets to a more disaster resilient standard than that of its pre-disaster function.

MOVED: CR DAVID POLLARD

SECONDED: CR CAROLYN STEWART

CARRIED.

(R026/22)

Attachments: Nil

DISCUSSION

Natural Disaster Financial Assistance for local councils is provided to assist in the recovery process and to alleviate some of the financial burden that may be experienced following a natural disaster.

The Disaster Recovery Funding Arrangements (DRFA) - Category B allows for Emergency Works, Immediate Works and Essential Public Assets Reconstruction Works however, the funding model only allows for the reconstruction of affected assets to its pre-disaster function. To restore affected assets to a higher standard/more disaster resilient standard than that of its pre-disaster function is called 'Betterment'. 'Betterment' works are not funded under Category B – Restoration of Essential Public Assets of the DRFA.

CHARLTON 2022 FLOODING EVENT

River catchments including the Avoca River peaked at Charlton Town on Monday 17 October 2022 at a level of 7.87 metres, which caused over the floor flooding to occur over 3 properties in the town of Charlton. The Richardson River at Donald peaked at 3.76 metres and remained within the levees. Other waterways including the Tyrrell, Cooroojerup, and Lalbert creeks, caused flooding in Culgoa and surrounding areas.

As a result of the October Flood Emergency 2022 the road network has been severely impacted by flooding and detours, with over 80 council managed (sealed and gravel) roads currently closed within Buloke Shire and a major detour off the Calder Hwy with large vehicles being diverted throughout local road networks.

The Buloke Shire Road Management Plan prepared in accordance with, Division 5 of the *Road Management Act 2004*, and in accordance with Ministerial Code of Practice – Road Management Plans is a key document in detailing the strategic guidelines and identifying maintenance, renewal, and upgrade improvements for the road network.

Council believes that by not allowing the assets affected by the October Flood Emergency 2022 to be reconstructed to a more disaster resilient standard Council will fail to meet the objectives outlined in the plan which are to:

- Measure quality and cost standards;
- Respond to the needs of its community;
- Provide accessibility to those members of the community for whom the service is intended;
- Be subject to continuous improvement;
- Link to a program of regular community consultation; and

- Report regularly to the community

To examples example of 'Betterment' or continuous improvement would be:

1. the installation of new culverts to roads that experienced water over roads; and
2. the increase to the width of roads that provide key agricultural linkages as indicated in the Road Management Plan

9.1.3 ACKNOWLEDGEMENT OF COUNCIL STAFF'S EFFORTS DURING THE 2022 FLOOD EVENT

Author's Title: Councillor Warren

Department: Office of the CEO

File No: CR/13/01

PURPOSE

To acknowledge the significant effort of Council staff during the 2022 flood event.

SUMMARY

In the days prior to the October 2022 flooding event that was forecast for the northern and western parts of Victoria, Buloke Shire Council staff in preparation for a significant rain and possible flooding event under the direction of the response control agency VicSES and other support agencies including the Northern Central Catchment Authority undertook substantial flood mitigation work.

These mitigation works also included a high level of community engagement and input.

In response to the flooding event, Council participated in five community meetings in Charlton, Donald, Wycheproof, Culgoa and Sea Lake.

Council staff opened and operated an Emergency Relief Centre for a period of 11 Days at the Wycheproof P-12 College and had an average attendance of 18 people requiring accommodation and support.

There has been significant impact on Council's road network with Council's roads team surveying and opening and closing roads as required.

Staff also opened and operated a Municipal Operations Coordination Centre to coordinate Council's resources and liaise with the incident controller and response agencies.

At the height of the response stage many staff had based themselves in Wycheproof, away from their families for several days at a time owing to the inaccessibility to the area, to ensure the safety and best outcomes for the Buloke community.

MOTION:

That Council:

1. Acknowledge the efforts of Council staff during the flood event and congratulate them on their dedication and care for the Buloke community; and
2. When appropriate the Chief Executive Officer schedules a gathering for all staff to thank them for their efforts.

MOVED: CR DARYL WARREN

SECONDED: CR DAVID POLLARD

CARRIED.
(R027/22)

Attachments: Nil

DISCUSSION

With Council still in both a response and recovery stage, the Municipal Operations Coordination Centre remains open whilst we continue to manage the ongoing flood emergency to the north of our Shire and coordinate recovery in the south.

Council is continuing to support our communities in early recovery. At the time of writing this report Council has:

- Launched our Sandbag Collection Strategy in Charlton, Culgoa, Donald and Wycheproof;
- Initiated the Secondary Impact Assessments where businesses, private and public assets are assessed for damage; and
- Developing a safe roads strategy to ensure all roads are formally assessed prior to opening.

We know the floods caused significant damage and road closures to the Buloke Shire and VicRoads Road assets, including minor and major roads, road reserves and supporting road infrastructure. Council is currently working on a strategy to formally assess roads prior to opening roads to ensure the safety of our community.

Significant damage from flood waters has and will continue to have a major impact to the agricultural community. This includes the loss of crops throughout the shire that will cause financial and mental health concerns within the community.

Council is working with Agriculture Victoria to ensure our farming communities are supported.

9.1.4 BIRCHIP COMMUNITY HOUSING INCORPORATED - GUARANTOR FOR LOAN

Author's Title: Councillor Milne

Department: Office of the CEO

File No: FM/04/17

Cr Bernadette Hogan declared a Conflict of Interest in this item due to her being a close relative of Bryan Hogan, the Chairperson of the Committee.

Cr Hogan vacated the Council Chamber at 7.58pm.

PURPOSE

To restate the Council's support for the activities of the Birchip Community Housing Group and its long-term objective to alleviate the current housing crisis within Birchip and surrounding areas.

SUMMARY

Birchip Community Housing (BCH) has been operating successfully as a separately incorporated Asset Management Committee of Buloke Shire Council and formerly as a Section 86 Committee. Using a community not-for-profit enterprise approach to manage rental housing, through Birchip Community Housing (BCH), has had demonstrable success in maximising local benefits via a structure in which the housing assets and land are ultimately owned by Buloke Shire Council and operated and managed by BCH

BCH have a 'shovel ready' project which will enable the delivery of 5 new housing units for older aged residents. The proposed project will meet the dual objectives of retaining ageing residents in the town and freeing-up existing larger dwellings for rental or sale to new residents (employees of expanding local businesses). The business plan and financial projections for the project confirm that it is feasible and will contribute to the further building of a sound community housing enterprise with a suitable number of dwellings to enable it to further expand using its rental income base and commercial funding.

BCH have applied for 2 separate rounds of state government funding in the past 12 months to support the above projects. On both occasions, the application was unsuccessful, and feedback received from the funding body has advised the programs were heavily subscribed due to housing crisis issues within the whole of regional and rural Victoria.

This Notice of Motion reinforces the ongoing commitment of the Council to continue to advocate for the BCH in the funding and delivery of the project, as well as providing localised Council support by whatever means are available at the time in the event funding for the BCH's project becomes available.

MOTION:

That Council:

1. Commit to ongoing advocacy to other tiers of government, in conjunction with the Birchip Community Housing Group, to attract and secure funding to address Birchip's Rental Housing Crisis and its Economic Development Impact; and
2. In the event funding is secured for the Birchip Community Housing Group funded, consider opportunities within its Policy framework, and adopted Budget to support project delivery.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

**CARRIED.
(R028/22)**

Attachments: Nil

DISCUSSION

Buloke Shire Council Housing and Economic Development

Buloke Shire has history of population decline, a trend which had extended for a few decades until the 2020s. However, the region is poised for growth through known developments in leveraging natural assets in agribusiness and food product value-adding, renewable energies, new tourism recognition, and mineral sands mining, as recognised in the Mallee REDS Strategic Directions. This growth trajectory has commenced and is confirmed by the recent 2021 Census of Population and Housing results. However, as the Buloke Shire Economic Development & Tourism Strategy 2022-23 emphatically notes, there is a risk that shortages of sale and rental housing could jeopardise the ability to realise this economic diversification. Providing smaller more fit-for-purpose housing for ageing residents is part of the solution. It will free up larger houses for new and relocating worker households.

Buloke Shire's Economic Development Strategy reports "in the next 2 years (and probably beyond) the (Shire's) challenge has shifted from attracting population to a 'housing challenge' with the risk of population stabilisation in jeopardy from lack of sale and rental housing". The Strategy goes on to remind stakeholders that moving towards population stability in Buloke will generate new housing demand. Reducing household sizes create demand for additional residential dwellings, offsetting the effect of slightly declining populations. During the 5 years between 2016 and 2021, Buloke's residential housing stock increased by 90 dwellings even though there was a small drop in population. Buloke towns have surplus reticulated infrastructure and affordable properties (compared with metropolitan and provincial city markets), but with limited choice and poor return-on-investment incentives to develop new houses.

The Shire's Economic Development Strategy states that "there is a shortage of quality housing for employees (especially in professional and technical service sectors) and retirees or semi-retirees looking to locate in the Shire". The proposed Addressing Birchip's Rental Housing Crisis and its Impact on Local Economic Development project will assist in both these areas: Directly providing additional rental housing for retirees and freeing up larger dwellings for new employees. Buloke Shire's Economic Development Strategy has nominated "meeting the housing challenge" as one of its explicit strategies.

Birchip and the Birchip Community Housing Group Project

Birchip specifically had a population loss of just 8 people between 2016 and 2021, while the number of occupied dwellings increased by 11 (ABS Census of Population and Housing 2021). Wimmera Development Association population projections for Buloke suggests that, with known economic development opportunities, the town will reverse its population decline and will grow at an average annual rate of 0.5% between 2021 and 2026. This will more than double the demand for housing in Birchip.

The project will add new rental dwelling stock to the town's vastly under-supplied rental housing and will enable some larger existing dwellings to be made available to relocating staff of local businesses. The project will deliver critical rental housing infrastructure to enable Birchip to retain ageing residents in independent living arrangements and to contribute to the ongoing viability of many town businesses

and services. The construction of 5 new dwellings will enable some of the residents on the current waiting list to remain in the area and will deliver up to 5 existing 3+ bedroom dwellings for new workers and their households to move to Birchip. The project will increase the number of dwellings managed by Birchip Community Housing to 15, which is considered a healthy stock to run the not-for profit enterprise, supporting annual rental income of around \$140,000 and providing a base for further investment in additional dwellings over time.

The proposed project will increase BCH managed housing units to 15 and this will be an adequate base level stock to enable Council and BCH to progressively add further housing units, potentially to a stock of 30+ dwellings, using loan finance. This level of rental stock will make a substantial impact on available housing for both older residents and (through releasing existing larger homes) newly arriving employees.

Support for the Project

It is noted that the Council has provided support to the BCH in previous projects, including through acting as Guarantor for a BCH loan.

Council's current policy framework may provide support to the BCH once funding for the project can be achieved, through means such as:

- Considering an application to the Council under its Loan Guarantee Policy
- Identifying opportunities through fund re-direction following any sale of land under the Sale of Land Policy
- Activating support options provided for under the Community Support Policy

In addition, the Council will continue to actively advocate to the State and Federal Government in support of the project.

Cr Hogan returned to the Council Chamber at 8.01pm.

9.2 QUESTIONS FROM COUNCILLORS

9.2.1 CR MILNE – ROAD REPAIRS AND ROADSIDE SLASHING

Cr Milne referred to Cr Stewart's earlier comments and advised there have also been a number of enquiries regarding roadside slashing and the potential to have this work carried out; noting one round of roadside slashing is unlikely to be sufficient.

Request that the community is updated on projected timelines for roadside slashing, and whether there is any opportunity for private operators to get involved as he believes the necessary work to address this task is beyond the capacity of Council's resources.

RESPONSE FROM DIRECTOR INFRASTRUCTURE AND DELIVERY -

The Director Infrastructure and Delivery responded to advise the projected timeframes will be published for the information to the community, noting that multiple roadside slashing activities are likely to be required. The Director Infrastructure and Delivery will obtain further advice in relation to utilising private operators.

9.2.2 CR SIMPSON – ROAD HIERARCHY FOR DAMAGED ROADS

Cr Simpson reiterated Cr Stewart's concerns relating to feedback from the community on roads conditions and sought information about whether information about the application to the road hierarchy can be passed onto the community.

RESPONSE FROM DIRECTOR INFRASTRUCTURE AND DELIVERY -

Staff are currently having discussions and working with internal and external engineer professionals, Engineers, and Department of Transport on the safety of roads and what roads can be opened, and in the progress of seeking funding for restorations works. Community Meetings in relation to options on prioritising roads to reopen and repair to commence 11 November 2022. The Director Infrastructure and Delivery will continue to work with the Customer Engagement Department to ensure the community remains informed.

9.2.3 CR WARREN – BIRCHIP CIVIC MASTER PLAN

Cr Warren requested an update on the Birchip Civic Master Plan, and when Council is likely to see a final report to make decisions in relation to the Plan.

RESPONSE FROM DIRECTOR INFRASTRUCTURE AND DELIVERY -

Due to staff redeployment in response to the October flooding event, work on the Plan has not progressed. When resources and time allows the Plan will be revisited, along with the Birchip Recreation Precinct Master Plan. At this stage it is envisaged to occur in 2023.

9.2.4 CR WARREN – COUNCIL DELEGATED COMMITTEE OF MANAGERMENTS

Cr Warren enquired about the request for a report on the status of the Council Delegated Committee of Managements.

RESPONSE FROM DIRECTOR INFRASTRUCTURE AND DELIVERY:

A report on the appointed delegated Committee of Managements of Council will be circulated to Councillors following the Council Meeting.

9.3 URGENT BUSINESS

Nil

9.4 ANY OTHER BUSINESS

Nil

9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

Nil

10. MEETING CLOSE

Meeting closed at 8.11pm.